

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

RUTH SMITH, individually and on behalf of all
others similarly situated,

Plaintiff,

v.

SUNPATH, LTD., a Massachusetts corporation,

Defendant.

Case No. 1:22-cv-00081-LMB-WEF

PLAINTIFF'S TRIAL EXHIBIT LIST

Plaintiff Ruth Smith ("Plaintiff"), by and through her counsel, respectfully submits this trial exhibit list pursuant to the Court's Scheduling Order:

Ex. #	Bates #	Description	Expects to Offer	May Offer
1	N/A	Stipulated Facts	x	
2	SMITH000022-26	May 28, 2020, 6:03 pm Email (w/link to website)	X	
3	SMITH000029-30	June 11, 2020 Email	X	
4	SMITH000021	National Do Not Call Registry – Registration Confirmation	X	
5	SMITH000027	Call Recording	X	
6	SMITH000028	Call Recording	X	
7	SMITH000031-36	Notes of Calls	X	
8	N/A	Plaintiff's Objections and Responses to Defendant's First Set of Discovery Requests		X
9	N/A	Plaintiff's First Supplemental Objections and Responses to Defendant's First Set of Discovery Requests		X
10	N/A	Plaintiff's Second Supplemental Objections and Responses to		X

		Defendant's First Set of Discovery Requests		
11	N/A	Plaintiff's Third Supplemental Objections and Responses to Defendant's First Set of Discovery Requests		X
12	N/A	Call Center Marketing Agreement (with Standards of Conduct)		X
13	N/A	Defendant's Responses to Plaintiff's First Set of Discovery Requests		X
14	N/A	Defendant's Supplemental Responses to Plaintiff's First Set of Discovery Requests		X
15	N/A	CALL CENTER MARKETING AGREEMENT.pdf	X	
16	N/A	SELLER AGREEMENT.pdf		X
17	N/A	American Protection Corp Sales Script.docx	X	
18	N/A	American Protection Corp.pdf	X	
19	N/A	DNC Policy.pdf		X
20	N/A	CRM tabs expanded_001.pdf	X	
21	N/A	Appointment by sunpath_001.pdf	X	
22	N/A	American Protection Florida Appointment for Sunpath - Licensee Detail.pdf	X	
23	N/A	Postcard.pdf	X	
24	N/A	Letter1.pdf	X	
25	N/A	Gmail – Email Quote Summary.pdf (May 28, 2020, 3:30 pm Email)	X	
26	N/A	AmericanProtectionCorporation2-20180501-20180531.csv	X	
27	N/A	AmericanProtectionCorporation2-20180601-20180630.csv	X	
28	N/A	AmericanProtectionCorporation2-20180701-20180731.csv	X	
29	N/A	AmericanProtectionCorporation2-20180801-20180831.csv	X	
30	N/A	AmericanProtectionCorporation2-20180901-20180930.csv	X	
31	N/A	AmericanProtectionCorporation2-20181001-20181031.csv	X	

32	N/A	AmericanProtectionCorporation2-20181101-20181130.csv	X	
33	N/A	AmericanProtectionCorporation2-20181201-20181231.csv	X	
34	N/A	AmericanProtectionCorporation2-20190101-20190131.csv	X	
35	N/A	AmericanProtectionCorporation2-20190201-20190228.csv	X	
36	N/A	AmericanProtectionCorporation2-20190301-20190331.csv	X	
37	N/A	AmericanProtectionCorporation2-20190401-20190430.csv	X	
38	N/A	AmericanProtectionCorporation2-20190501-20190531.csv	X	
39	N/A	AmericanProtectionCorporation2-20190601-20190630.csv	X	
40	N/A	AmericanProtectionCorporation2-20190701-20190731.csv	X	
41	N/A	AmericanProtectionCorporation2-20190801-20190831.csv	X	
42	N/A	AmericanProtectionCorporation2-20190901-20190930.csv	X	
43	N/A	AmericanProtectionCorporation2-20191001-20191031.csv	X	
44	N/A	AmericanProtectionCorporation2-20191101-20191130.csv	X	
45	N/A	AmericanProtectionCorporation2-20191201-20191231.csv	X	
46	N/A	AmericanProtectionCorporation2-20200101-20200131.csv	X	
47	N/A	AmericanProtectionCorporation2-20200201-20200229.csv	X	
48	N/A	AmericanProtectionCorporation2-20200301-20200331.csv	X	
49	N/A	AmericanProtectionCorporation2-20200401-20200430.csv	X	
50	N/A	AmericanProtectionCorporation2-20200501-20200531.csv	X	
51	N/A	AmericanProtectionCorporation2-20200601-20200630.csv	X	
52	N/A	AmericanProtectionCorporation2-20200701-20200731.csv	X	

53	N/A	AmericanProtectionCorporation2-20200801-20200831.csv	X	
54	N/A	AmericanProtectionCorporation2-20200901-20200930.csv	X	
55	N/A	AmericanProtectionCorporation2-20201001-20201031.csv	X	
56	N/A	AmericanProtectionCorporation2-20201101-20201130.csv	X	
57	N/A	AmericanProtectionCorporation2-20201201-20201231.csv	X	
58	N/A	AmericanProtectionCorporation2-20210101-20210131.csv	X	
59	N/A	AmericanProtectionCorporation2-20210201-20210228.csv	X	
60	N/A	AmericanProtectionCorporation2-20210301-20210331.csv	X	
61	N/A	AmericanProtectionCorporation2-20210401-20210430.csv	X	
62	N/A	AmericanProtectionCorporation2-20210501-20210531.csv	X	
63	N/A	AmericanProtectionCorporation2-20210601-20210630.csv	X	
64	N/A	AmericanProtectionCorporation2-20210701-20210731.csv	X	
65	N/A	AmericanProtectionCorporation2-20210801-20210831.csv	X	
66	N/A	AmericanProtectionCorporation2-20210901-20210930.csv	X	
67	N/A	AmericanProtectionCorporation2-20211001-20211031.csv	X	
68	N/A	AmericanProtectionCorporation2-20211101-20211130.csv	X	
69	N/A	AmericanProtectionCorporation2-20211201-20211231_part_1.csv	X	
70	N/A	AmericanProtectionCorporation2-20211201-20211231_part_2.csv	X	
71	N/A	Five9_AmericanProtection_000001.xlsx	X	
72	NA	Summary of Five9 call records relating to Plaintiff's phone number	X	

Smith reserves the right to amend this exhibit list based on the subsequent production, the results of pending and future motions, and as the circumstances of the case may require (including

the addition of necessary demonstratives to aid in the trial of this matter).

Smith reserves the right to designated rebuttal exhibits and utilize the exhibits designated by Defendant.

Dated: December 14, 2022

RUTH SMITH, individually and on behalf of all
others similarly situated,

By: /s/ Francis J. Driscoll, Jr.
One of Plaintiff's Attorneys

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Attorneys for Plaintiff and the Classes

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above titled document was served upon counsel of record by filing such papers via the Court's ECF system on December 14, 2022.

/s/ Francis J. Driscoll, Jr.